UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

35525	7590	12/15/2005

IBM CORP (YA)
C/O YEE & ASSOCIATES PC
P.O. BOX 802333
DALLAS, TX 75380

OIPE
DEC 27 2005

EXAMINER
THAI, TUAN V

ART UNIT	PAPER NUMBER
2186	

DATE MAILED: 12/15/2005

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,931	07/17/2003	Herman Dietrich Dierks JR.	AUS920030471US1	2229

TITLE OF INVENTION: METHOD AND APPARATUS FOR TRANSFERRING DATA FROM A MEMORY SUBSYSTEM TO A NETWORK ADAPTER FOR IMPROVING THE MEMORY SUBSYSTEM AND PCI BUS EFFICIENCY

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	$1400	$300	$1700	03/15/2006

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PTOL-85 (Rev. 07/05) Approved for use through 04/30/2007.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: <u>Mail</u>

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

or <u>Fax</u>   (571) 273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

35525   7590   12/15/2005

IBM CORP (YA)
C/O YEE & ASSOCIATES PC
P.O. BOX 802333
DALLAS, TX 75380

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

_____ (Depositor's name)

_____ (Signature)

_____ (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,931	07/17/2003	Herman Dietrich Dierks JR.	AUS920030471US1	2229

TITLE OF INVENTION: METHOD AND APPARATUS FOR TRANSFERRING DATA FROM A MEMORY SUBSYSTEM TO A NETWORK ADAPTER FOR IMPROVING THE MEMORY SUBSYSTEM AND PCI BUS EFFICIENCY

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	$1400	$300	$1700	03/15/2006

EXAMINER	ART UNIT	CLASS-SUBCLASS
THAI, TUAN V	2186	711-220000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

❑ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

❑ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____

2 _____

3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE   (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) :   ❑ Individual ❑ Corporation or other private group entity ❑ Government

4a. The following fee(s) are enclosed:

❑ Issue Fee

❑ Publication Fee (No small entity discount permitted)

❑ Advance Order - # of Copies _____

4b. Payment of Fee(s):

❑ A check in the amount of the fee(s) is enclosed.

❑ Payment by credit card. Form PTO-2038 is attached.

❑ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

❑ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.   ❑ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.
NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____   Date _____

Typed or printed name _____   Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTOL-85 (Rev. 07/05) Approved for use through 04/30/2007.   OMB 0651-0033   U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,931	07/17/2003	Herman Dietrich Dierks JR.	AUS920030471US1	2229

35525   7590   12/15/2005

IBM CORP (YA)
C/O YEE & ASSOCIATES PC
P.O. BOX 802333
DALLAS, TX 75380

EXAMINER
THAI, TUAN V

ART UNIT	PAPER NUMBER
2186	

DATE MAILED: 12/15/2005

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 454 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 454 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571) 272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

PTOL-85 (Rev. 07/05) Approved for use through 04/30/2007.

	Application No.	Applicant(s)
Notice of Allowability	10/621,931	DIERKS ET AL.
	Examiner	Art Unit	
	Tuan V. Thai	2186	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *Examiner interview conducted 11/30/2005.*

2. ☒ The allowed claim(s) is/are *1-4, 6, 8-13, 15, 17-22 renumbered as 1-5, 7, 6, 8-12, 14, 13, 15-18 respectively.*

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date *7/17/2003*

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

TUAN V. THAI
PRIMARY EXAMINER

Attorney's Docket No.: AUS920030471US1

IN THE UNITED STATES PATENT AND

TRADEMARK OFFICE

In re application of: Dierks et al.   **Group:**   2186

Serial No.:   10/621,931   **Examiner:** Tuan Thai

For: *METHOD AND APPARATUS FOR TRANSFERRING DATA FROM A*

MEMORY SUBSYSTEM TO A NETWORK ADAPTER FOR IMPROVING THE

MEMORY SUBSYSTEM AND PCI BUS EFFICIENCY.

1.   This action is responsive to Examiner interview conducted on
November 30, 2005. Claims 1, 6, 9-10, 15 and 18-22 are amended.
Claims 5, 7, 14 and 16 are now canceled. Claims 1-4, 6, 8-13, 15
and 17-22 are now allowed.

EXAMINER'S AMENDMENT

2.   An Examiner's Amendment to the record appears below. Should
the changes and/or additions be unacceptable to applicant, an
amendment may be filed as provided by 37 C.F.R. ₃ 1.312. To
ensure consideration of such an amendment, it **MUST** be submitted
no later than the payment of the Issue Fee.

3.   Authorization for this Examiner's Amendment was given in a
telephone interview with Mr. Mark E. McBurney; Reg. No. 33,114 on

November 30, 2005.

4.   The application has been amended as follows:

a. <u>In the claims</u>:

     a1. Amending claims 1, 6, 9-10, 15 and 18-22 as following:

<u>***Claim 1***</u> (amended) A method in a data processing system for

transferring data from a memory to a network adapter, the method

comprising:

     receiving a request to transfer data to a network adapter;

and

     setting an offset for a starting address of the data to

align the data with an end of a frame in the memory, wherein the

frame is transferred from the memory to the network adapter[.]<u>;</u>

     <u>wherein the offset is zero if a frame size of the frame</u>

<u>divided by a cache line size is zero.</u>

<u>***Claim 6***</u> (amended) A method in a data processing system for

transferring data from a memory to a network adapter, the method

comprising:

     identifying an amount of the data;

     if the frame size for a frame is divisible by a cache line

size with a remainder, setting an offset for the data to align

the data to an end of the frame;

and if the frame size for [if] the frame size divided by the cache line size without a remainder, setting the offset to zero[.]_;_

wherein the offset is determined using the following: offset=CLS-(frame size-ABS(frame size/CLS)*CLS wherein CLS is the cache line size.

**Claim 9** (amended) The method of claim [7] 6 further comprising: transferring the frame to the network adapter after offsetting the data using the offset.

**Claim 10** (amended) A means in a data processing system for transferring data from a memory to a network adapter, the data processing system comprising:

receiving means for receiving a request to transfer data to a network adapter; and

setting means for setting an offset for a starting address of the data to align the data with an end of a frame in the memory, wherein the frame is transferred from the memory to the network adapter[.]_;_

wherein the offset is zero if a frame size of the frame divided by a cache line size is zero.

Claim 15 (amended) A means in a data processing system for transferring data from a memory to a network adapter, the data processing system comprising:

identifying means for identifying an amount of the data;

first setting means for setting an offset for the data to align the data to an end of the frame if the frame size for a frame is divisible by a cache line size with a remainder; and

second setting means for setting the offset to zero if the frame size for if the frame size divided by the cache line size without a remainder[.]_;_

wherein the offset is determined using the following: offset=CLS-(frame size-ABS(frame size/CLS)*CLS wherein CLS is the cache line size.

Claim 18 (amended) The data processing system of claim [16] 15 further comprising: transferring means for transferring the frame to the network adapter after offsetting the data using the offset.

Claim 19 (amended) A computer program product in a computer readable medium for transferring data from a memory to a network adapter, the computer program product comprising:

first instructions for receiving a request to transfer data to a network adapter; and

second instructions for setting an offset for a starting
address of the data to align the data with an end of a frame in
the memory, wherein the frame is transferred from the memory to
the network adapter[.];

wherein the offset is zero if a frame size of the frame
divided by a cache line size is zero.

Claim 20 (amended) A computer program product in a computer
readable medium for transferring data from a memory to a network
adapter, the computer program product comprising:

first instructions for identifying an amount of the data;

second instructions for setting an offset for the data to
align the data to an end of the frame if the frame size for a
frame is divisible by a cache line size with a remainder; and

third instructions for setting the offset to zero if the
frame size for if the frame size divided by the cache line size
without a remainder[.];

wherein the offset is determined using the following:
offset=CLS-(frame size-ABS(frame size/CLS)*CLS wherein CLS is the
cache line size.

Claim 21 (amended) A server data processing system for obtaining
cultural context information from a client, the server data

processing system comprising:

a bus system;

a network adapter connected to the bus system;

a memory connected to the bus system, wherein the memory

includes a set of instructions; and

a processing unit connected to the bus system, wherein the

processing unit executes a set of instructions to receive a

request to transfer data to a network adapter; and set an offset

for a starting address of the data to align the data with an end

of a frame in the memory, wherein the frame is transferred from

the memory to the network adapter[.]:

wherein the offset is zero if a frame size of the frame

divided by a cache line size is zero.

Claim 22 (amended) A server data processing system for obtaining

cultural context information from a client, the server data

processing system comprising:

a bus system;

a network adapter connected to the bus system;

a memory connected to the bus system, wherein the memory

includes a set of instructions; and

a processing unit connected to the bus system, wherein the

processing unit executes a set of instructions to identify an

amount of the data; set an offset for the data to align the data

to the end of the frame if the frame size for a frame is

divisible by a cache line size with a remainder; and to set the

offset to zero if the frame size is divided by the cache line

size without a remainder[.]_;_

wherein the offset is determined using the following:

offset=CLS-(frame size-ABS(frame size/CLS)*CLS wherein CLS is the

cache line size.

REASONS FOR ALLOWANCE

5.   The following is an Examiner's Statement of Reasons for

Allowance:

The prior art of record does not teach or suggest, alone or

in combination, **all** the limitations of the amended claim of the

current invention (claim 1). The closest prior art of record,

Wooten reference 5,911,152 discloses the system and method for

storing data in a buffer which crosses page boundaries utilizing

beginning and ending buffer pointers. Wooten however does all

the combined limitations of the claims invention; particularly

the concept of transferring data from a memory subsystem to a

network adapter wherein setting an offset for a starting address

of the data to align the data with an end of a frame in the

memory, the frame is transferred from the memory to the network

adapter and the offset is zero if a frame size of the frame

divided by a cache line size is zero (claims 1, 10, 19 and 21)

nor does the prior art references discloses identifying an amount
of the data; if the frame size for a frame is divisible by a
cache line size with a remainder, setting an offset for the data
to align the data to an end of the frame; and if the frame size
for [if] the frame size divided by the cache line size without a
remainder, setting the offset to zero, the offset is determined
using the following: offset=CLS-(frame size-ABS(frame
size/CLS)*CLS wherein CLS is the cache line size (claims 6, 15,
20 and 22). In light of the foregoing, claims 1, 6, 10, 15 and
19-22 of the present application is found to be patentable over
the prior arts. Claims 2-4, 8-9, 11-13 and 17-18 further limit
the allowable independent claims. These claims are therefore
allowable for the same reason as set forth above.

Any comments considered necessary by Applicant must be
submitted no later than the payment of the Issue Fee and, to
avoid processing delays, should preferably accompany the Issue
Fee. Such submissions should be clearly labeled "Comments on
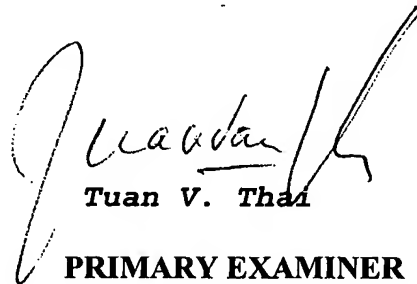Statement of Reasons for Allowance."

6.   Any inquiry concerning this communication or earlier
communications from the examiner should be directed to Tuan V.
Thai whose telephone number is (571)-272-4187. The examiner can
normally be reached on from 6:30 A.M. to 4:00 P.M..

If attempts to reach the examiner by telephone are

unsuccessful, the examiner's supervisor, Mathew M. Kim can be
reached on (571)-272-4182. The fax phone number for the
organization where this application or proceeding is assigned is
571-273-8300. Information regarding the status of an application
may be obtained from the Patent Application Information Retrieval
(PAIR) system. Status information for published applications may
be obtained from either Private PAIR or Public PAIR. Status
information for unpublished applications is available through
Private PAIR only. For more information about the PAIR system,
see http://pair-direct.uspto.gov. Should you have questions on
access to the Private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free).

TVT/December 02, 2005

Tuan V. Thai

PRIMARY EXAMINER

Group 2100

Interview Summary	Application No.	Applicant(s)
	10/621,931	DIERKS ET AL.
	Examiner	Art Unit
	Tuan V. Thai	2186

All participants (applicant, applicant's representative, PTO personnel):

(1) *Tuan V. Thai.*   (3)_____.

(2) *Mr. Mark E. McBurney (Reg. 33,114).*   (4)_____.

Date of Interview: *30 November 2005.*

Type: a)☒ Telephonic   b)☐ Video Conference
       c)☐ Personal [copy given to: 1)☐ applicant   2)☐ applicant's representative]

Exhibit shown or demonstration conducted: d)☐ Yes   e)☒ No.
    If Yes, brief description: _____.

Claim(s) discussed: *1-22.*

Identification of prior art discussed: *Wooten (5,911,152).*

Agreement with respect to the claims f)☒ was reached. g)☐ was not reached. h)☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: *Applicants's counsel agreed to cancel claims 5, 7, 14 and 16 without prejudice. Amending all independent claims 1, 6, 10, 15 and 19-22 to include limitations of the canceled claims. See attached Examiner's amendment.*

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an
Attachment to a signed Office action.

_____
Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record
A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews
Paragraph (b)
In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.
All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

_____

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:
- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner; other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:
1) A brief description of the nature of any exhibit shown or any demonstration conducted,
2) an identification of the claims discussed,
3) an identification of the specific prior art discussed,
4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
5) a brief identification of the general thrust of the principal arguments presented to the examiner,
   (The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
6) a general indication of any other pertinent matters discussed, and
7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Form PTO-1449	ATTORNEY DOCKET NO. AUS920030471US1	SERIAL NO. Not Assigned 10/621,931
LIST OF PRIOR ART CITED BY APPLICANT *(Use several sheets if necessary)*	APPLICANT **Dierks, Jr. et al.**	
	FILING DATE 7/17/03	GROUP ART UNIT. Not Assigned 2186

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	PUBLICATION DATE	INVENTOR NAME	CLASS/ SUBCLASS	FILING DATE

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	PUBLICATION DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES	NO

OTHER PRIOR ART *(including author, title, date, pertinent page, etc.)*

RELATED PATENT APPLICATIONS

EXAMINER INITIAL		APPLICATION NO./ ATTY. DOCKET NO.	APPLICANT	TITLE	FILING DATE
TN.	AA	Not Assigned AUS920030470US1	Dierks, Jr. et al.	Method and Apparatus for Transferring Data from a Memory Subsystem to a Network Adapter by Extending Data Lengths to Improve the Memory Subsystem and PCI Bus Efficiency	

DATE CONSIDERED 12/02/05	EXAMINER Tuan V. Thai

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP § 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Notice of References Cited

	Application/Control No.	Applicant(s)/Patent Under Reexamination
	10/621,931	DIERKS ET AL.

Examiner	Art Unit	
Tuan V. Thai	2186	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-5,265,228	11-1993	Beaudoin et al.	710/306
*	B	US-5,446,898	08-1995	Bealkowski et al.	713/1
*	C	US-5,535,338	07-1996	Krause et al.	709/222
*	D	US-5,684,997	11-1997	Kau et al.	710/260
*	E	US-5,710,911	01-1998	Walsh et al.	713/500
*	F	US-5,901,291	05-1999	Feeney et al.	709/253
*	G	US-5,911,152	06-1999	Wooten, David R.	711/208
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

U.S. Patent and Trademark Office
PTO-892 (Rev. 01-2001)   **Notice of References Cited**   Part of Paper No. 20051202

IC21UU   KANDULPH

Organization _____ Bldg./Room _____

U. S. DEPARTMENT OF COMMERCE
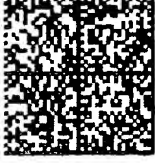COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
IF UNDELIVERABLE RETURN IN TEN DAYS

OFFICIAL BUSINESS
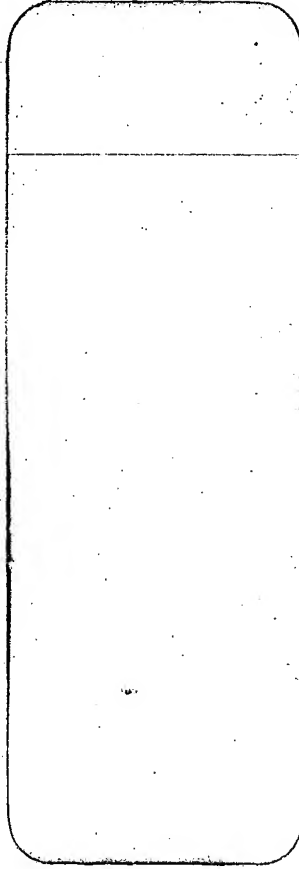
AN EQUAL OPPORTUNITY EMPLOYER

Returned For Better Address

Returned For Better Address

RECEIVED

DEC 2 7 2005

USPTO MAIL CENTER